

APPEAL NO. 023248  
FILED FEBRUARY 6, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on November 25, 2002. The hearing officer determined that the compensable injury sustained by the respondent (claimant) on \_\_\_\_\_, does not include lumbar degenerative disc disease, but does include lumbar stenosis, a herniated nucleus pulposus (HNP) at L4-5, and a HNP at L5-S1. The appellant (carrier) appeals this decision. The appeal file contains no response from the claimant.

DECISION

Affirmed.

Whether the claimant's compensable injury included the alleged conditions was a factual question for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order is affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY, INC.** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750  
AUSTIN, TEXAS 78701.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Panel  
Manager/Judge

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Edward Vilano  
Appeals Judge